

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY**

**Call to Order:** By **CHAIRMAN STANLEY (STAN) FISHER**, on January 24,  
2003 at 8:10 A.M., in Room 317-A Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Stanley (Stan) Fisher, Chairman (R)  
Sen. Corey Stapleton, Vice Chairman (R)  
Sen. Keith Bales (R)  
Rep. Tim Callahan (D)  
Rep. Carol C. Juneau (D)  
Sen. Trudi Schmidt (D)

**Members Excused:** Rep. Dave Lewis (R)

**Members Absent:** None.

**Staff Present:** Marian Collins, Committee Secretary  
Brent Doig, OBPP  
Lorene Thorson, Legislative Branch

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed. The time  
stamp for these minutes appears at the beginning  
of the content it refers to.

**Committee Business Summary:**

Hearing & Date Posted: None  
Executive Action: Corrections Department Budget

**CHAIRMAN FISHER** apologized for calling the committee back today, but after meeting with leadership in the Senate and House yesterday afternoon, they felt it necessary to reconvene and discuss concerns. There is an estimated \$60 million available to add back to state government agencies. Twenty-four million has been allotted to the K-12 system which leaves \$36 million. If Corrections takes \$32 million, \$4 million will be left. Leadership assured **CHAIRMAN FISHER** that they will give every consideration to get the necessary funds for the Corrections Department. After meeting with the leaders, **CHAIRMAN FISHER** met with Director Slaughter and discussed the situation. It was suggested that this subcommittee should reduce the \$32 million approved in yesterday's action.

*{Tape: One; Side: A; Approx. Time Counter: 2.2 - 19.2}*

**EXECUTIVE ACTION ON CORRECTIONS DEPARTMENT BUDGET**

**Motion/Vote:** SEN. STAPLETON moved to RECONSIDER ACTIONS ON ADOPTING THE EXECUTIVE BUDGET FOR THE 2005 BIENNIUM FROM YESTERDAY. Motion carried 5-2 with REP. JUNEAU AND SEN. SCHMIDT voting no by voice vote.

**Motion:** SEN. STAPLETON moved to ADD BACK IN \$20 MILLION GENERAL FUND FOR THE 2005 BIENNIUM, PLUS THE DECISION PACKAGE ADOPTED YESTERDAY WITH REGARD TO THE JUVENILE PLACEMENT DISBURSEMENT.

**Discussion:**

**SEN. BALES** stated his concern about the DP 7001 was that they had not used their money last biennium and that is why it was reduced this biennium.

**Bill Slaughter, Director, Corrections Department,** stated that the money is juvenile-placements-dollars. AYA left \$2.2 million in the fund, and every district gets an amount based on FTE's, populations, etc. They also hold back \$1 million in contingency funds in case there is a bad year with several kids. That contingency fund is run by a committee chaired by Judge Larson. The Department felt that in order to make cuts requested by the Governor's office, the unused \$600,000 in placement funds and \$800,000 contingency funds were a way to meet the Governor's goal.

**SEN. SCHMIDT** stated that this committee needs to take a stand on the decisions taken yesterday. Testimony was heard about why the Department of Corrections needs to have the \$31 million. If this committee doesn't give it to them, there will be 26 fewer probation officers, 31 fewer corrections staff, the new building addition at Pine Hills and the Women's Prison will lose staff, there will be more layoffs, no DUI unit, no Helena Pre-Release, the Community Correctional Center (CCC) facility would probably close, no compliance with ACLU and Justice Department, and they will not be able to meet the statutory limits. **SEN. SCHMIDT** stated this committee needs to decide if it wants safety in this state or not. This committee needs to decide if it wants a corrections system that can function.

**REP. CALLAHAN** stated that part of the agreement in regard to juvenile placement was for districts to find lower cost ways of doing business; give districts more control and more flexibility with the money. Districts also had the ability to not spend money and not use it for placement directly. Districts were doing their best to try to manage things and when they do, it seems they get penalized. They try to save money so they'll have those dollars available for other types of programming for kids; but, then the money was taken because they didn't spend it. We've set the districts up to reduce the amount of money they're going to spend. When they reduce it, we take it away.

**REP. JUNEAU** asked for clarification of how the budget has been affected by what's just taken place. **Ms. Thorson** stated that this committee added \$31 million yesterday which took them back to the Governor's budget. It would have been \$104.2 million general fund in 2004 and \$105.6 million general fund in 2005 of general fund. **Ms. Thorson** stated that if this motion passes this committee would be adding \$20 million general fund for the biennium above the legislative budget (fiscal 2000 adjusted base) of \$89.1 million.

**Vote:** Motion carried 5-2 with **REP. JUNEAU AND SEN. SCHMIDT** voting no by voice vote.

**Motion/Vote:** **SEN. STAPLETON** moved **APPROVAL OF THE RATES FOR THE FOOD FACTORY ON PAGE D-87 AND FOR THE MONTANA CORRECTIONAL ENTERPRISE INDUSTRY LAUNDRY PROGRAM ON PAGE D-93 OF THE LEGISLATIVE BUDGET ANALYSIS.** Motion carried 7-0 by voice vote.

**Ms. Thorson** stated these rates are going into House Bill 2 and need approval from this committee in order for the programs to operate like a business and cover expenses. The Food Factory supplies meals to Montana State Hospital, Riverside, Helena Pre-

Release, and the boot camp. The laundry program provides laundry services for some state institutions. **REP. CALLAHAN** asked if all agencies that utilize these services will receive an increase in appropriations to cover the rate increases. **Ms. Thorson** stated these rates were included in the Executive Budget request for the affected agencies.

**Motion/Vote: SEN. STAPLETON moved ADOPTION OF THE BUDGET AS AMENDED FOR THE DEPARTMENT OF CORRECTIONS. Motion carried 5-2 with REP. JUNEAU AND SEN. SCHMIDT voting no by voice vote.**

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**ADJOURNMENT**

Adjournment: 8:45 A.M.

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REP. STANLEY (STAN) FISHER, Chairman

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MARIAN COLLINS, Secretary

SF/MC

**EXHIBIT** (jch15aad)